

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **COMPOSITIONS AND USES FOR A NOVEL CELL-DEATH-PROTECTING PROTEIN**, the Specification of which:

- ☐ is attached hereto.
☒ was filed on November 4, 1997 as Application Serial No. 08/964,162.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application:

| | | |
|--------------------------|------------------|------------|
| 60/030,302 | November 5, 1996 | Co-Pending |
| (Application Serial No.) | (Filing Date) | (Status) |
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| (Application Serial No.) | (Filing Date) | (Status) |

I hereby direct that all correspondence and telephone calls be addressed to Barbara S. Kitchell, Arnold, White & Durkee, P.O. Box 4433, Houston, Texas 77210, (512) 418-3000.

I HEREBY DECLARE THAT ALL STATEMENTS MADE OF MY OWN KNOWLEDGE ARE TRUE AND THAT ALL STATEMENTS MADE ON INFORMATION AND BELIEF ARE BELIEVED TO BE TRUE; AND FURTHER THAT THESE STATEMENTS WERE MADE WITH THE KNOWLEDGE THAT WILLFUL FALSE STATEMENTS AND THE LIKE SO MADE ARE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH, UNDER SECTION 1001 OF TITLE 18 OF THE UNITED STATES CODE AND THAT SUCH WILLFUL FALSE STATEMENTS MAY JEOPARDIZE THE VALIDITY OF THE APPLICATION OR ANY PATENT ISSUED THEREON.

| | | | |
|--|------------------------------------|-------|---------|
| Inventor's Full Name: | Edward | T.H. | Yeh |
| Inventor's Signature: | <i>Edward Gou</i> | | |
| Country of Citizenship: | U.S.A. | Date: | 1/27/98 |
| Residence Address: (street, number, city, state, and/or country) | 4012 Villanova Houston TX 77005 | | |
| Post Office Address: (if different from above) | | | |

000110-19692460

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Edward T.H. Yeh

Serial No.: 08/964,162

Filed: November 4, 1997

For: COMPOSITIONS AND USES FOR A
NOVEL CELL-DEATH-PROTECTING
PROTEIN

Group Art Unit: Unknown

Examiner: Unknown

Atty. Dkt. No.: UTSH:238/KIT

ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73
AND POWER OF ATTORNEY

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor.

The Assignee hereby revokes any previous Powers of Attorney and appoints:

Louis T. Pirkey, Reg. No. 22,393; David L. Parker, Reg. No. 32,165; Barbara S. Kitchell, Reg. No. 33,928; Gary J. Sertich, Reg. No. 34,430; Shelley P.M. Fussey, Reg. No. 39,458; and J. Paul Williamson, Reg. No. 29,600;

each an attorney or agent of the firm of ARNOLD, WHITE & DURKEE, as its attorney or agent for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to Board of Regents, The University of Texas System, referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

Barbara S. Kitchell
ARNOLD, WHITE & DURKEE
P.O. Box 4433
Houston, Texas 77210-4433
(512) 418-3000

ASSIGNEE:
BOARD OF REGENTS, THE
UNIVERSITY OF TEXAS SYSTEM

By: 

Name: Ray Farabee

Title: Vice Chancellor and
General Counsel

Date: 2/19/98

ASSIGNMENT:

☒ Concurrently filed

☐ Previously recorded

Date: _____

Reel: _____

Frames: _____